

Subject: TTI V EDNA

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Scott,

Thanks for the time today to meet and confer on issues raised in the Court's order. Our agreements are summarized below:

(1) The parties agree to extend the discovery deadline for the purpose of taking the deposition of Larry Whitlow during the first two weeks of February. TTI will provide dates that Mr. Whitlow is available during this time frame.

(2) The parties agree to extend the discovery deadline until February 15, 2012, for the purpose of TTI taking discovery from EDI. TTI may seek a further extension of time if the EDI discovery has not been completed by that time. At this point, EDNA has not agreed to extend the deadline past 2/15/2012.

(3) TTI does not agree to EDNA's request that Dr. Cooper's 10/28/11 report not be used in this litigation (consistent with the relief requested in EDNA's motions for protective order).

Although I believe it was clear from our discussion, I will repeat here that EDNA does not agree to (nor do I believe TTI has sought) a general extension of the discovery deadline in this case. The only extensions to which EDNA will agree are those set forth in (1) and (2) and only for the specific purpose of conducting the discovery described therein.

Also, we still need to meet and confer with regard to EDNA's motion to stay. We can do that at the deposition tomorrow.

Thanks,

Steve Schlather

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